

INITIAL STATEMENT OF REASONS

DEFINITIONS

TITLE 13, ARTICLE 3.

Section 150.04

Recently, various automobile manufacturers have been selling motor vehicles that have the appearance of a sport utility type vehicle but with a body constructed with an open box-type bed or the ability to convert to an open box-type bed. Dealers have been identifying these motor vehicles as sport utility vehicles rather than pickups when completing and submitting the titling documents to the department.

A pickup truck has a specific structural design that identifies a motor vehicle as a pickup truck. All pickup trucks have an open box-type bed. In fact, Vehicle Code section 471 defines a pickup as “a motor truck with a manufacturers gross vehicle weight rating of less than 11,500 pounds, an unladen weight of less than 8,000 pounds, and which is equipped with an open box type bed not exceeding 9 feet in length...” A pickup truck is considered a commercial vehicle pursuant to Vehicle Code section 260 and thus must pay weight fees.

There is no definition for a sport utility vehicle in the Vehicle Code. Many of the sport utility vehicles with the open box-type bed use the vehicles primarily to carry passengers and many owners operators consider the vehicles to be passenger carrying vehicles and thus do not require commercial plates. The department uses the same criteria for these vehicles as for pickups with a visible open bed. If a vehicle is modified to permanently cover the open box-type bed, the vehicle would be considered a passenger carrying vehicle only. If a vehicle is not modified to permanently cover the open box-type bed, the vehicle would be considered a pickup and weight fees would be due. Because the owner has the option to use the vehicle in a way that meets the definition of a pickup truck, the weight fees are due.

The proposed regulations were developed to clarify what motor vehicles qualify as a pickup truck. The department proposes to adopt Section 150.04, which specifies that motor vehicles with open box-type beds are defined as pickup trucks.

§150.04. Pickup Trucks.

Section 150.04(a) clarifies the definition of a pickup to include any motor vehicle with an open box-type bed not exceeding 9 feet in length. This subdivision identifies motor vehicles that meet this definition by manufacturer name and make. This is necessary to clarify for automobile dealers and their customers those vehicles that are designated by the department as pickup trucks and are subject to weight fees.

Section 150.04(b) clarifies the definition of a pickup truck to include any motor vehicle whose configuration or reconfiguration can be changed to provide for an open box-type bed. This subdivision identifies motor vehicles that meet this definition by manufacturer name and make. This is necessary to clarify for automobile dealers and their customers those vehicles that are designated by the department as pickup trucks and are subject to weight fees.